

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2001-748

January 15, 2002

CENTRAL MAINE POWER COMPANY  
Request for Approval of a Special Rate  
Contract for Amendment to the  
Customer Service Agreement with  
BOC Gases

ORDER APPROVING  
CONTRACT

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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## **SUMMARY OF DECISION**

By this Order, the Commission approves Central Maine Power Company's (CMP's) proposed customer service agreement (CSA) with BOC Gases (BOC).

## **DISCUSSION AND DECISION**

On October 26, 2001, CMP filed with this Commission a proposed CSA with BOC. This contract does not comply with all conditions of Attachment 6 of the ARP 2000.<sup>1</sup> Pursuant to Attachment 6, contracts with terms no more than one year beyond the term of the ARP, that are not anti-competitive or unduly discriminatory and that provide revenues in excess of the Company's marginal cost floors plus an adder, go into effect automatically. The prices in this contract, however, while above the marginal cost floors are not greater than the marginal cost floors plus an adder. Therefore, in order to become effective, this contract requires Commission review and approval.

We have reviewed the contract and while the revenue loss (relative to retail rates) associated with this discount contract is not small, it is not large enough to present significant risk to CMP's other customers. Therefore, we will allow the CSA to go into effect.

Accordingly, we

## **ORDER**

That the Customer Service Agreement with BOC Gases, filed by Central Maine Power Company on October 26, 2001, is hereby approved and may become effective as of November 30, 2001 as requested by CMP.

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<sup>1</sup> ARP 2000 was approved by Commission Order Approving Stipulation dated November 16, 2000 in Docket No. 99-666.

Dated at Augusta, Maine, this 15th day of January, 2002.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR: WELCH

NUGENT  
DIAMOND

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.

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